I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service on the date shown below with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450.

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Signature: Mula Mohety

Docket No.: SPINE 3.0-441

CONT CONT (PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ralph et al.

Application No. 10/667,034

: Group Art Unit: 3733

Filed: September 22, 2003

: Examiner: E. C. Robert

For: POROUS INTERVERTEBRAL DISTRACTION SPACERS

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Preliminary to initiation of the prosecution of the above-identified pending U.S. patent application, the following amendments and remarks are respectfully submitted.